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W.P.No.28611 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.28611 of 2023

R. Umashanthi

... Petitioner

Vs.

The Managing Director,
Tamil Nadu Housing Board,
E&C Market, Koyambedu,
Chennai – 600 107.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to release the General Provident Fund (GPF), Special Provident Fund (SPF), Earned Leave (EL) and Unearned Leave (UEL) amount, within a reasonable time.

For Petitioner : Mr.S. Sivakumar

For Respondent : Mr.D. Veerasekharan,
Standing Counsel



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ORDER

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With the consent of both the parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner herein has given a representation to the respondent on 14.08.2023, seeking to release her General Provident Fund (GPF), Special Provident Fund (SPF), Earned Leave (EL) and Unearned Leave (UEL) amount. Since the said representation has not been considered till date, the present Writ Petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the respondent herein, to consider the petitioner's representation dated 14.08.2023, on its own merits and pass appropriate orders in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

03.10.2023

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Sni/Hvk

To

The Managing Director,
Tamil Nadu Housing Board,
E&C Market, Koyambedu,
Chennai – 600 107.



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M.S.RAMESH,J.

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